HWG | HARRIS, WILTSHIRE & GRANNIS LLP
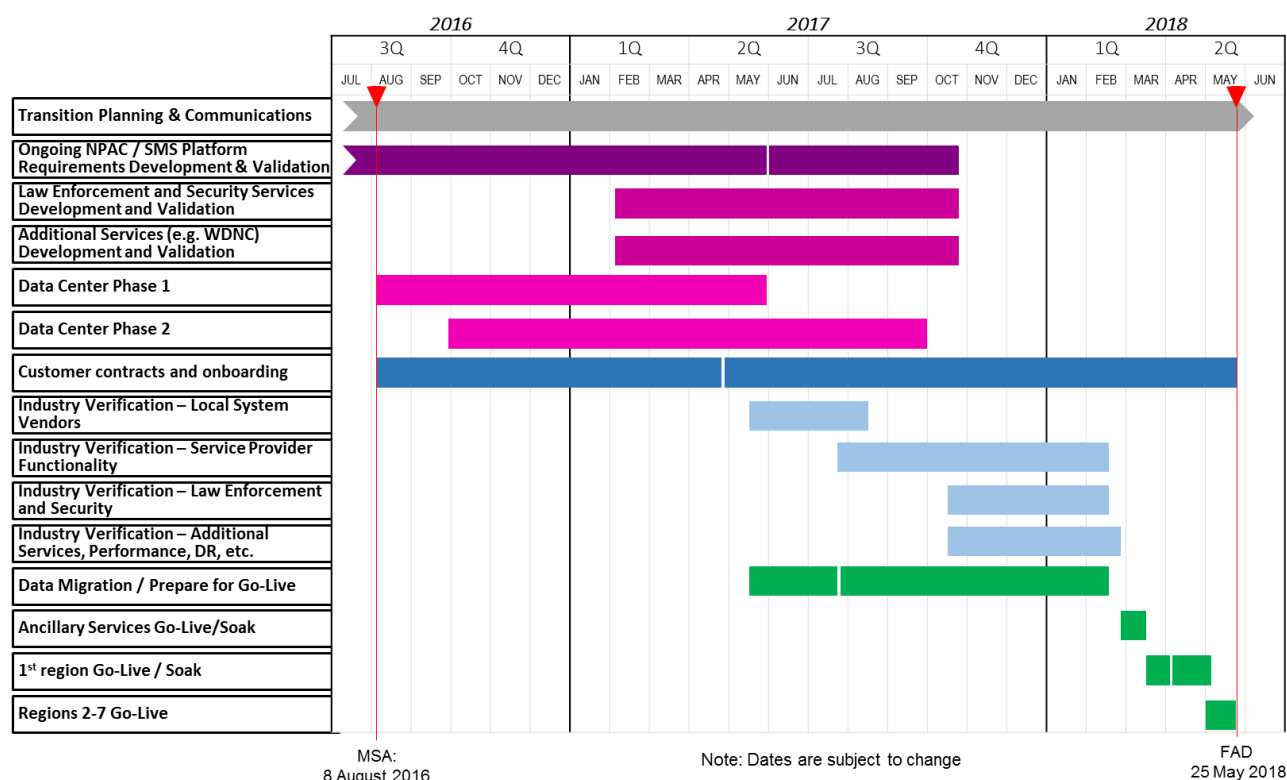
December 16, 2016

Ex Parte

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Telephone Number Portability, et al.*, CC Docket No. 95-116, WC Docket Nos. 07-149 & 09-109

Dear Ms. Dortch:

On behalf of Telcordia Technologies, Inc., d/b/a iconectiv ("iconectiv"), I write to respond to Neustar's recent ex parte filings regarding the Local Number Portability Administrator ("LNPA") transition. Regardless of Neustar's view, there is a well-defined transition plan, and iconectiv is working closely with the North American Portability Management, LLC ("NAPM") and the Transition Oversight Manager ("TOM") to implement a smooth transition to iconectiv as the Administrator.

Before addressing some of Neustar's assertions, it is important to understand that the LNPA transition is not an "all-at-once" process. There are many stages and phases to this transition, which will culminate in the cutover from LNP databases administered by Neustar to ones administered by iconectiv. Even the final cutover will occur in phases, and NAPM, the TOM, and iconectiv have been, and will continue to be, engaged in contingency planning for various eventualities. The following chart sets out the planned stages and timelines for the overall transition.

	2016						2017											2018					
	3Q			4Q			1Q			2Q			3Q			4Q			1Q			2Q		
	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
Transition Planning & Communications																								
Ongoing NPAC / SMS Platform Requirements Development & Validation																								
Law Enforcement and Security Services Development and Validation																								
Additional Services (e.g. WDNC) Development and Validation																								
Data Center Phase 1																								
Data Center Phase 2																								
Customer contracts and onboarding																								
Industry Verification – Local System Vendors																								
Industry Verification – Service Provider Functionality																								
Industry Verification – Law Enforcement and Security																								
Industry Verification – Additional Services, Performance, DR, etc.																								
Data Migration / Prepare for Go-Live																								
Ancillary Services Go-Live/Soak																								
1st region Go-Live / Soak																								
Regions 2-7 Go-Live																								

MSA:
8 August 2016

Note: Dates are subject to change

FAD
25 May 2018

At present, in addition to building the NPAC, including both the physical data centers and software, iconectiv has begun "on-boarding" service provider and service bureau users, and LSMS and SOA vendors. "On-boarding" encompasses an outreach program to establish points-of-contact, registering the users, and putting in place the agreements that each user must have with iconectiv, just as it currently has agreements in place with Neustar. While this sounds simple, because of the many changes that have occurred in the industry over the past eighteen years, in some cases, for some users, existing registration information is out-of-date. We are encouraging parties to begin and complete on-boarding as soon as possible, as that will facilitate planning and information flow as the rest of the transition moves forward. To this end, iconectiv has been and will continue to be meeting with various stakeholder associations to spread the word, answer questions, and facilitate on-boarding. More than thirty percent of service providers are now in some stage of the on-boarding process, as are a majority of service bureaus and LSMS and SOA vendors. iconectiv has also already established its Helpdesk customer support center to assist anyone who may have questions during the onboarding process.

As the above chart shows, industry testing follows a phased schedule, beginning with LSMS/SOA gateway (mechanized interface products) vendors, followed by mechanized service bureaus and users. Testing for non-mechanized users that utilize the low-tech (i.e., web-based) interface occurs in parallel with mechanized users.[1] Ancillary Services users test after that. This

---

[1]   Furthermore, iconectiv will conduct training for low-tech interface users in advance of that testing.

schedule is designed to minimize the burdens on users, particularly those that utilize service bureaus, by testing with the underlying mechanized interface vendors and the service bureaus first.

Each stakeholder group, including vendors, mechanized users, non-mechanized users, PTRS users, and ancillary services users, will receive further information regarding testing as their stage in the testing process approaches. This includes Neustar, in its various roles as a LSMS/SOA vendor, service bureau operator, and PTRS user.

Testing follows a series of twelve acceptance test plans that require review and approval by the NAPM LLC in coordination with the FCC. These test plans cover the range of capabilities of the NPAC. As of December 13, 2016, one test plan had been approved by the NAPM, LLC, in coordination with the FCC, and three more are expected to be approved by the end of the year.[2] This pace of review and approval is tracking to the schedule agreed to with the NAPM and the TOM. The transition plan is designed such that all test plans for a particular phase of testing must be completed and approved before that testing phase begins, although plans will be further modified if necessary as testing proceeds.

In carrying out these test plans, the testing entities run agreed-upon test cases. Work has been and will continue to be done to prepare for utilizing the well-established industry test cases that the LSMS/SOA vendors and users run today to certify the NPAC mechanized interfaces. This work has been and will continue to be facilitated by the LNPA Working Group's Architecture Planning Team, where these test cases are reviewed to be sure they are all are properly defined and agreed upon by the vendors and the users who will be running those tests. The LNPA Working Group's Architecture Planning Team does not have any limits on who may participate in the discussions it facilitates.

In order to complete the industry testing phase of the project prior to the regional cutovers, participants who test must pass all test cases that relate to their specific functions.[3] Mechanized users will be able to start their tests once their vendor has passed its tests and certified. In the event that a participant fails a test, iconectiv and the participant will review the test to determine whether the test has been properly specified and, with the TOM, determine whether changes to the iconectiv NPAC or test are necessary. The TOM will assist with resolving any disputes and leveraging industry resources such as the LNPA Working Group, as appropriate and necessary. This will be a living process, designed to determine when changes are necessary and when the problem may be an improperly specified test.

---

[2] *See* North American Portability Management, LLC & Transition Oversight Manager, *TOEP Webcast* (Dec. 13, 2016) https://www.napmllc.org/Docs/npac/ref_docs/REP_20161213_ TOM_TOEP%20Webcast%20Content_v2.0.pdf

[3] The appropriate suite of tests differs according to the functions being tested. For example, an LSMS/SOA vendor's customer likely will not run all the same tests that the LSMS/SOA vendor ran, as that would be unnecessary, duplicative effort for the customer. In that case, the customer is likely to run only a regression test suite.

Throughout these various stages of testing, iconectiv contemplates that vendors and service bureaus will able to work with and, as needed, share testing information confidentially with their customers and that customers will be able to do the same confidentially with their vendors and service bureaus. The confidentiality provisions of iconectiv's user agreements parallel those in the existing Neustar NPAC user agreements, and thus iconectiv anticipates that, as they have done with the existing NPAC, vendors, service bureaus and customers will be able to share necessary information while respecting confidentiality.

Turning to Neustar's recent ex parte letters, with respect to Neustar's involvement in the transition as the incumbent LNPA (as distinguished from its role as a LSMS/SOA vendor, service bureau, or PTRS user), transition planning meetings that included Neustar began in the third quarter of 2015.[4] In the first instance, it is important to recognize that while Neustar has a significant transition role as the incumbent FCC-authorized LNPA, it is not a participant in all aspects of the transition, and does not need to have information about steps they are not involved in. When initiated, these multiparty meetings were held with an understanding of confidentiality, as is customary for these types of projects. Information sharing was slowed when Neustar refused to sign a non-disclosure agreement for information shared through the TOM, which iconectiv agreed to sign. Then, in May 2016, Neustar asserted unilaterally that information provided through multiparty meetings was not subject to any confidentiality requirements, stating that had been the case all along and would be the case moving forward. For iconectiv, this asserted lack of any confidentiality obligation created an impediment to further multiparty transition meetings with extensive information sharing, as the transition involves the functioning of a database important to telecommunications competition and with security implications.

Neustar's most recent letter is somewhat contradictory because, although it states that information may be shared under the terms of its existing MSA with the NAPM, Neustar also appears to be demanding the inclusion of additional provisions that are not part of its MSA with the NAPM. iconectiv has not to date been a party to those discussions, but from the descriptions in Neustar's December 2, 2016 letter and NAPM's letter of December 13, 2016, Neustar appears to have demanded inclusion of non-standard terms. iconectiv would have significant reservations with respect to any provisions that gave Neustar, as a practical matter, a unilateral ability to determine when confidential information could be disclosed publicly. iconectiv has no issue with respect to confidential disclosure of confidential information to the FCC or, when regarding Neustar's testing of its LSMS/SOA gateway products and services and service bureau services, by Neustar to its customers, subject to appropriate confidentiality protections. However, unilateral public disclosure of confidential information is a significant concern because once an injurious public disclosure of confidential information occurs, it cannot be adequately remedied. Thus, iconectiv – and the NAPM – must limit information sharing in any context in which a receiving party has not agreed to maintain confidentiality.

iconectiv is committed to achieving a smooth transition, and to doing so by May 2018. As has been true all along, risk mitigation is an ongoing task, and iconectiv has been and will

---

4   Transition planning meetings between NAPM, the TOM, and iconectiv began in the second quarter of 2015.

continue to work with the NAPM, the TOM, and all Local Number Portability LSMS/SOA gateway vendors, service bureaus, and users to minimize potential risks and to implement a smooth transition.

Sincerely,

John T. Nakahata
Counsel to Telcordia Technologies, Inc., d/b/a iconectiv